



# **CIP PARTNERS ACADEMY**

## **CPE PROGRAM OVERVIEW**

CITY OF AUSTIN  
CAPITAL CONTRACTING OFFICE  
MARCH 10, 2021

# COURSE OBJECTIVES

- CPE Program Background
- CPE Program Purpose
- Program Use & Administration
- CPE Program Review & Changes
- Scoring Criteria & Evaluation Guidelines
- Rebuttals & Appeals
- Q & A

# A LITTLE BIT OF HISTORY

**Purpose:** To provide a uniform method of evaluating, tracking and reporting vendor performance to support high quality City projects.



## 2003 Resolution

### 2014 Administrative Rule R161-13.37

- Requirements for a Citywide vendor performance evaluation program.
- Established that vendor performance is maintained for historical record.
- This information will be used in future solicitation award decisions.

# Contractors

- Competitive Sealed Proposals – CPE scores are used as an item on the evaluation matrix.
- Invitation for Bid (Low Bid)-Past performance is reviewed during the assessment of the bidder's experience.
- Contractors' evaluation score is not part of the bid tab
- Evaluations are kept for historical record.
- City may reject future bids based on sustained poor performance.







# CPE PROCESS



- Performance evaluation includes Contractor staff and indirectly the subs/suppliers who perform on the project.
- City Team – managing department, sponsor/user department, SMBR and other relevant parties such as QMD when applicable.
- Vendor may request an in-person review/rebuttal meeting and a subsequent Appeal Hearing.

## Project Team

PM consults with the project team, completes the performance evaluation, and provides to the program administrator in CCO.

## CCO

Program administrator reviews the evaluation for completeness and adherence to the evaluation guidelines and contract requirements; maintains the record and the data for reporting; and emails a copy of the CPE to the vendor.

## Evaluation Use

Evaluations for work performed during the past 5 years is taken into consideration in the award of future contracts.

## CPE PROGRAM REVIEW

- **Purpose Of the Review** – to improve the effectiveness of the program and compliance with program requirements.
- **Process** – conduct working sessions with departments involved in CIP Delivery. Changes were made based on recommendations from the team.
- **Result** – enhancements to the program will be implemented April 1, 2021 which improves the clarity of the criteria, provide for more regular communication about performance status, improve the accountability of City staff and improve internal processes.

# SPECIAL THANKS AND ACKNOWLEDGEMENT TO THE CPE REVIEW TEAM

## Project Managers

- Amica Bose, Austin Transportation Department
- Morgan Byars, Watershed Protection Department
  - John Daniels, Austin Public Library
- Reynaldo Hernandez, Parks & Recreation Department
  - Dedurie Kirk, Austin Water
  - Tony Lopez, Public Works Department
  - Paul Mendoza, Public Works Department
- Dan Valbracht, Austin Transportation Department

## CCO Staff

- Melissa Pool, Administrative & Finance Manager
- Sonya Powell, Contract Management Sp III/CPE Administrator
- Felecia Shaw, Business Process Consultant Senior

## CHANGES TO THE CPE PROGRAM (EFFECTIVE APRIL 1, 2021)

- Revised Consultant Evaluation Form
- Removal of “Adequacy and Availability of Workforce” criterion/Addition of CTP Program criterion
- New Performance Progress Tool
- Reporting and improved internal processes



# CHANGES TO THE CPE PROGRAM (EFFECTIVE APRIL 1, 2021)

- **Revised CPE Form**

- The form has been revised to include short descriptions of successful performance for each category. The form is also transitioning to an automated form in the City of Austin's project and contract management system (eCAPRIS) which will make completing it simpler.

- **Addition of the Construction Training Program and Removal of the Adequacy and Availability of Workforce as a Single Criterion**

- The current form does not take into account compliance with the recently added Construction Training Program. As compliance with this program is now a requirement, it has been added to the CPE form.
- Adequacy and Availability of Workforce criteria has been removed as a single criterion and incorporated under the "Project and Contract Management" criterion.

## CHANGES TO THE CPE PROGRAM (EFFECTIVE APRIL 1, 2021)

### ■ Other Internal Changes

- Bi-annual reporting to departments on program compliance, standard communications about the CPE program at project meetings, and onboarding training for City Project Managers and CCO staff will also be implemented.
- These internal changes will benefit contractors by helping to ensure that all CPEs due are submitted by COA staff, Contractors are aware of the CPE ahead of each project, and new COA staff are trained on these policies on a regular basis.



Capital Contracting Office

## CONTRACTOR PERFORMANCE EVALUATION

Project Name:			
Solicitation Number:			
CIP Subproject ID Number:			
Contract Number:	CT / MA #: _____ DO #: _____		
Contractor: (Name of Firm)			
Contractor's Primary Contact: (Name & email address)			
<b>EVALUATION CRITERIA</b>			
<ul style="list-style-type: none"><li>- Needs Improvement (1 Point) = Does not meet contractual, technical or professional requirements.</li><li>- Successful Performance (2.5 Points) = Meets contractual requirements.</li><li>- Exceptional Performance (3 Points) = Exceeds contract requirements to the City's benefit.</li></ul> <p>Detailed Performance Evaluation Guidelines can be found at: <a href="http://austintexas.gov/sites/default/files/files/Performance_Evaluation_Scoring_Guidelines_-">http://austintexas.gov/sites/default/files/files/Performance_Evaluation_Scoring_Guidelines_-</a></p>			
The descriptions provided for criteria below indicate successful performance.			
1. <b>Quality</b> - The Contractor performed and completed work in accordance with the contract and project manual. The Contractor proactively checked to ensure Contractor's and subcontractor's Work met plans and specifications. The Contractor took responsibility for ensuring the quality of Work of the subcontractors, and adequately coordinated the different trades' Work. Contractor promptly corrected defective work.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. <b>Schedule</b> - The Contractor established a baseline schedule and completed the project within established timeframes, including any City approved schedule changes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Contractor Performance Evaluation Form (Effective 4/1/2021)

## CHANGES TO THE CPE PROGRAM (EFFECTIVE APRIL 1, 2021)

### ■ **Item 1 – Quality**

- The Contractor performed and completed work in accordance with the contract and project manual. The Contractor proactively checked to ensure contractor's and subcontractor's work met plans and specifications. The Contractor took responsibility for ensuring the quality of work of the subcontractors, and adequately coordinated the different trades' work. Contractor promptly corrected defective work.

### ■ **Item 2 – Schedule**

- The Contractor established a baseline schedule and completed the project within established timeframes, including any City approved schedule changes.

## CHANGES TO THE CPE PROGRAM (EFFECTIVE APRIL 1, 2021)

- **Item 3 – Wage Compliance and Required Job Postings**
  - The Contractor met contractual and regulatory requirements associated with wage compliance and required job postings.
- **Item 4 – Compliance with MBE/WBE/DBE Procurement Program**
  - The Contractor complied with approved MBE/WBE/DBE compliance goals, Request for Changes, and MBE/WBE close-out requirements (SMBR rating).



## CHANGES TO THE CPE PROGRAM (EFFECTIVE APRIL 1, 2021)

### ■ **Item 5 – Invoicing & Payments**

- Invoices were accurate and complete, inclusive of all required attachments and backup data, and submitted on a timely basis reflective of the contract requirements. Monthly reports and pay requests were of expected quality and submitted on time. Subcontractors were paid timely.

### ■ **Item 6 – Regulatory Compliance & Permitting**

- The contractor met all applicable regulatory and permitting requirements associated with the contract.

### ■ **Item 7 – Safety & Protection**

- The contractor initiated, maintained and supervised all safety precautions and complied with OSHA and any safety-related programs in connection with the work performed.

## CHANGES TO THE CPE PROGRAM (EFFECTIVE APRIL 1, 2021)

- **Item 8 – Construction Training Program**

- The contractor submitted an approved Construction Training Plan prior to project mobilization and met all requirements of the program.

- **Item 9 – Project & Contract Management**

- The contractor supervised, inspected, and directed the work competently and efficiently, applying skills and expertise as necessary to perform the work in accordance with the contract. The contractor maintained adequate resources to meet the demands of the contract and was always available for the required tasks.

- **Item 10 – Communication, Cooperation, & Business Relations**

- Contractor provided effective verbal and written communications to City staff, consultant, subconsultants, and project stakeholders.

## CHANGES TO THE CPE PROGRAM (EFFECTIVE APRIL 1, 2021)

- **Progress Report Tool-closely resembles the CPE form that allows for documented communication between the COA PM and the contractor- on the same criteria the contractor will be evaluated against.**
  - Not required, but will be available online
  - Allows for on-going communication between the PM and the contractor
  - No surprise scoring upon final evaluation
  - Contractor can ask for it to know where they stand through-out the project
  - Allows for a record to be kept when PMs transition on and off projects
  - The contractor will receive a copy of the progress report form as evidence of performance throughout the project.

# PERFORMANCE EVALUATION GUIDELINES

## OVERALL EVALUATION / RATING DEFINITIONS

Needs Improvement (1 pt.)	Successful (2.5 pts.)	Exceptional (3 pts.)
Performance does not meet contractual requirements and recovery did not occur in a timely or cost effective manner	Performance meets contractual requirements.	Performance exceeds contract requirements to the City's benefit.
Serious problems exist and corrective actions have been ineffective	May have had minor problems; however, satisfactory corrective action was taken.	May have identified cost savings; provided innovative options or efficiencies; added value.
Major errors, extensive minor errors, and/or recurring problems	Problems were not repetitive.	Consistently exceeded City expectations and always provided exceptional results.
Performance indicates little or no effort extended to satisfy the minimum contract requirements		

# IMPROVING YOUR SCORE

- Communication – It's critical
  - Establish a line of communication with your City of Austin PM.
  - Communicate clearly and often-ask how you are measuring up.
- Invoicing
  - Bill to the correct project.
  - Can be a waste of resources for Contractor & City staff



# IMPROVING YOUR SCORE

## Exceptional Ratings

- Providing service above what's required...
  - Innovation
  - Working ahead of the schedule
  - Providing deliverables without prompting
  - Mitigating risk(s) ahead of time
  - Minimal change orders/amendments

## WHEN ARE EVALUATIONS CONDUCTED?

- **Invitations For Bid**-End of Construction
- **IDIQ**-At the time of option/contract renewal and/or end of contract
- **Job Order Contracts**-By project, end of construction
- **Construction Manager at Risk**-End of construction
- **Design Build**-End of design, end of construction
- **Competitive Sealed Proposals**-End of construction

# REBUTTALS

## Rebuttal

If not in concurrence with score, vendor has the ability to rebut the evaluated score.

- Requires written notification of intent to rebut within 10 days of receiving the score
- The rebuttal is an informal process that allows the firm to discuss issues and provide support for consideration of score modification
- Outcome of meeting whether the score stands, or a modification is given occurs within 5 days after the Rebuttal Meeting
- If firm still does not concur, firm may appeal score

# APPEALS

## Appeals

If not in concurrence with rebuttal outcome, vendor has the ability to appeal the evaluated score.

- Requires written notification of intent to appeal within 4 days of receiving the rebuttal decision
- The appeal is an informal process that allows the firm to discuss issues and provide support for consideration of score modification
- Outcome of meeting is given within 10 days after the Appeal Meeting
- Outcome of decision is final.

# SUMMARY

- The CPE Program is a very involved & dynamic process
- Be familiar with your contract and the criteria you are being evaluated against
- Be proactive in receiving/requesting evaluation scores
- Communication is key!





# QUESTIONS?



# CPE PROGRAM CONTACTS

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# CPE PROGRAM RESOURCES

<https://www.austintexas.gov/departments/cpe-program>



**TOGETHER WE BUILD AUSTIN!**

**THANK YOU!**